

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-022770

01/21/2010

HONORABLE EMMET RONAN

CLERK OF THE COURT
M. Postert
Deputy

ARACAJU INC, et al.

ROGER C DECKER

v.

TRUE NORTH INC, et al.

BRADLEY D WEECH

RYAN W ANDERSON

MINUTE ENTRY

Prior to commencement of proceedings, Plaintiffs' Exhibits 1 through 31, Defendants' Exhibits 32 through 102 and 105 through 129 and Receiver's Exhibits 103 and 104 are marked for identification.

1:39 p.m. This is the time set for continued Evidentiary Hearing. Counsel Matthew White is present on behalf of Plaintiffs Aracaju, Inc. and Nathan Gwilliam. Counsel Bradley Weech and Kelly Black are present on behalf of Defendants True North, Inc. and Dale Gwilliam. Counsel Ryan Anderson is present on behalf of Receiver, Peter Davis. Nathan Gwilliam, Dale Gwilliam and Crystal Gwilliam are all present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

By stipulation, Exhibits 108, 112, 114, 115, 116, 118 and 119 are received in evidence.

Dale Gwilliam is sworn and testifies.

Defendants' Exhibit 111 is received in evidence.

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Defendants Exhibit 113 is received in evidence.

The witness is excused.

2:53 p.m. Court stands in recess.

3:09 p.m. Court reconvenes. Counsel and respective parties are present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Counsel present arguments to the Court.

IT IS ORDERED taking the matter **under advisement**.

Discussion is held regarding private mediation.

LET THE RECORD REFLECT that pursuant to Rule 80(d), there is an agreement between the parties that the time limits that are currently ticking on the buy/sell offer that is on the table are suspended until further order of the Court while the parties pursue efforts at mediation and settlement.

IT IS ORDERED that the Motion to Strike filed by Plaintiffs is denied.

IT IS ORDERED that the Motion for Enlargement of Time filed by Plaintiffs is granted.

IT IS FURTHER ORDERED that the Response to the Motion for Summary Judgment is due on or before February 16, 2010 and any Reply is due on or before February 26, 2010.

IT IS FURTHER ORDERED that the Receiver is directed to provide a list of assets and liabilities, as stated on the record by the parties, on or before February 8, 2010.

IT IS FURTHER ORDERED that initial disclosure statements and responses to Defendants' request for discovery are due on or before February 10, 2010.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee.

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IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

3:56 p.m. Hearing concludes.

FILED: Trial Worksheet

LATER:

IT IS ORDERED setting a **Status Conference** on **April 26, 2010 at 11:00 a.m. (Time allotted: 15 minutes)** before:

**HONORABLE EMMET J. RONAN
SOUTHEAST ADULT FACILITY
222 EAST JAVELINA - COURTROOM 205
MESA, AZ 85210**

IT IS FURTHER ORDERED if the parties settle the matter, they shall contact this Division so the hearing can be vacated.

NOTE: ALL COURT PROCEEDINGS ARE RECORDED BY AUDIO METHOD AND NOT BY A COURT REPORTER. ANY PARTY MAY REQUEST THE PRESENCE OF A COURT REPORTER BY CONTACTING THIS DIVISION THREE (3) COURT BUSINESS DAYS BEFORE THE SCHEDULED HEARING.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>